

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABLAISE LTD. and GENERAL
INVENTORS INSTITUTE A, INC.,

Plaintiffs,

v.

BANK OF AMERICA CORPORATION,

Defendants.

C.A. No. 06-530-SLR

DEFENDANT BANK OF AMERICA CORPORATION'S MOTION TO STAY

Defendant Bank of America Corporation ("Bank of America") respectfully moves this Court to issue an order staying the current action pending resolution of the two ongoing declaratory judgment actions brought by independent, third-party software developers Yodlee, Inc. and Financial Fusion, Inc. in the Northern District of California.

These two software companies developed and provided the allegedly infringing features of the Bank of America website. Both companies have brought declaratory judgment actions in the Northern District of California seeking declarations that their products do not infringe the Ablaise patents, and the outcome of these two litigations will resolve any alleged infringement by Bank of America. Because these two software manufacturers can more appropriately defend their products against claims of patent infringement, and because the controlling Federal Circuit authorities give priority to manufacturers' suits over suits against customers, this action should be stayed pending the outcome of those two suits.

Dated: December 22, 2006

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CERTIFICATE OF SERVICE

I hereby certify that on December 22, 2006, I electronically filed the above document with the Clerk of Court using CM/ECF which will send electronic notification of such filing(s) to the following Delaware counsel. In addition, the filing will also be sent via hand delivery:

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I hereby certify that on December 22, 2006, I have mailed by United States Postal Service, the document(s) to the following non-registered participants:

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